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BY: MT@ZCER Date: 8/4/03

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:	:	
Joe B. Selkon	:	
Conf. No.: 7691	:	Group Art Unit: 1616
Appln. No.: 10/084,518	:	Examiner: John D. Pak
Filing Date: February 25, 2002	:	Attorney Docket No.: 7631-118 (P5276US)
Title:	:	SUPER-OXIDIZED WATER, PREPARATION AND USE THEREOF AS STERILIZERS AND MEDICAMENTS

RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the Office Action dated July 3, 2003 (paper No. 5) in the above application. This Response is being timely filed on August 4, 2003, as August 3 was a Sunday.

The Examiner has required restriction among three groups of claims, namely claims 1-25 and 34 directed to a medicament (group I), claims 30-31 directed to a method of preparing a medicament (group II), and claim 26-29, 32 and 33 directed to methods for treating a human or animal body (group III). The Examiner contends that the inventions of group I and group III are related as product and process and that these inventions are distinct because the product as claimed can be used in a materially different process, such as hard surface sterilization. The Examiner contends that the inventions of group II and group I are related as process of making and process made and that the inventions are distinct because the product can be made by a materially different process, such as by ozonating a hypochlorous acid solution or by using a separated chamber wherein only cathodic or anodic water is collected and separately used. The

Examiner also contends that the search fields are divergent and that the search and examination of more than one invention would place an undue burden on the Examiner if restriction were not required.

Provisional Election

While not necessarily agreeing with the Examiner's Restriction Requirement and arguments in support thereof, Applicant provisionally elects group I (claims 1-25 and 34) for examination in this application. The election is made without traverse, but without prejudice to the filing of one or more divisional applications directed to the non-elected claims.

An early examination on the merits of this application is respectfully requested.

Respectfully submitted,

JOE B. SELKON

August 4, 2003
(Date)

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